



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DON H. MATSUBAYASHI

Application No.: 09/207,143

Filed: December 8, 1998

For: AUTOMATED OUTPUT OF
USER GUIDE

) : Examiner: King Y. Poon

) : Group Art Unit: 2624

) : Monday, February 14, 2005

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER RE EXTENSION FEE

Sir:

The applicant files herewith a Request For Continued Examination, which requests consideration of the Amendment After Final Rejection filed on October 13, 2004, in the above-identified application. However, as is discussed in more detail below, no extension fee under 37 C.F.R. § 1.136 is believed to be due.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 14, 2005

(Date of Deposit)

Carrie A. Quinn, Reg. No. 39,000

(Name of Attorney for Applicant)

Carrie A. Quinn Feb. 14, 2005
Signature Date of Signature

More particularly, in response to an Office Action mail-dated August 13, 2004, which was marked "final" and set a 3-month shortened statutory period for reply, the applicant filed an Amendment After Final Rejection which, as evidenced by the enclosed copy of an auto-reply facsimile transmission, was received by the Patent Office within two months of the August 13, 2004 mail date of the Office Action.

Pursuant to MPEP § 714.13, if an applicant initially replies within 2 months from the date of mailing of any final rejection setting a 3-month shortened statutory period for reply and the Patent Office does not mail an advisory action until after the end of the 3-month shortened statutory period, the period for reply for purposes of determining the amount of any extension fee will be the date on which the Patent Office mails the advisory action advising applicant of the status of the application.

In this regard, the applicant has yet to receive an advisory action, or other reply, from the Patent Office in response to the Amendment After Final Rejection. Since it is applicant's understanding that no advisory action has been mailed, the period for reply for purposes of determining an extension fee is believed to be the maximum period for reply set in 37 C.F.R. § 1.134, or February 13, 2005 (i.e., six months from the August 13, 2004 mail date of the Office Action). Accordingly, no extension fee under 37 C.F.R. § 1.136 is believed due with applicant's filing of a Request For Continued Examination by the February 13, 2005 due date.

However, if an extension fee is indeed determined to be due, the applicant hereby requests that this paper be treated as a petition for extension of time under 37 C.F.R. § 1.136(a), together with an authorization to charge Deposit Account No. 06-1205 for any

associated fees. A duplicate copy of this paper is enclosed.

The applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Carole A. Quinn
Attorney for Applicant
Registration No. 39,000

FITZPATRICK, CELLA, HARPER & SCINTO
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FACSIMILE COVER SHEET

TO: Examiner Kim Y. Roan
U.S. Patent & Trademark Office
Group Art Unit 2624

FROM: Carole A. Quinn, Reg. No. 39,000

RE: U.S. Application No. 09/207,143
Atty. Docket No. 03020.000170

FAX NO.: (703) 872-9306

DATE: October 13, 2004 **NO. OF PAGES:** 25

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MESSAGE

Attachments:

1) Amendment After Final Rejection Transmittal
2) Amendment After Final Rejection

Certificate of Transmission

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office on:

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